REMARKS

Initially, it is noted that the examiner has objected to the drawings because, in the Examiner's opinion, the drawings fail to show that the first and second side object receiving cradles overlap and separated by a distance generally equal to the thickness of the elongated member. In addition, the Examiner has rejected claims 6-7, 9-11, 14 and 20 under 35 U.S.C. § 112, first and second paragraphs, as failing to comply with the written description requirement and as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards at the invention.

In response to the Examiner's objection to the drawings and the rejections under 35 U.S.C. § 112, first and second paragraphs, applicant has amended independent claims 6 and 14 to delete the term "overlap" therefrom. More specifically, applicant amended such claims to indicate its is the midpoint of the cradles are axially aligned and separated by a distance generally equal to the thickness of the elongated member. It is believed that this new limitation is clearly shown in the drawings and described in the Specification, and as such, for the reasons noted hereinafter, withdrawal of the Examiner's objection to the drawings and the rejections under 35 U.S.C. § 112, first and second paragraphs, is respectfully requested.

Referring to the Specification, it states in the pertinent part that the object in the first side object receiving cradle and the object in the second side object receiving cradle are "stacked atop on another." See, Specification, page 4, line 14. Further, the Abstract as originally filed stated that "[t]he depressions on the second side correspond to the depressions on the first side. In addition, the Specification specifies that the structure of the present invention is "...formed of a single layer. " See, Specification, page 7, lines 10-11. Further, as best seen in Figs. 1-2, the midpoints of the cradles are separated by thickness of the structure. Consequently, applicant believes that the amended limitation

is shown in the drawings and fully described in the Specification. As such, withdrawal of the Examiner's objection to such drawings and rejections under 35 U.S.C. § 112, first and second paragraphs, is respectfully requested.

The Examiner has rejected all of the claims under 35 U.S.C. 102(b) as being anticipated by Emery, U.S. Patent No. 836,769 and by Williams, U.S. Patent No. 2,808,189. In order to more particularly define the invention for which protection is sought, applicant has amended independent claims 6 and 14. As hereinafter described, it is believed the present claims clearly define over the cited references and as such, reconsideration of the Examiner's rejections is respectfully requested in view of the following comments.

Claim 6 defines a support structure for supporting an object. The support structure includes an elongated member extending along an axis and having first and second sides, first and second edges and a thickness. The first side of the elongated member includes a first set of ribs projecting therefrom that correspond to a first set of depressions on the second side of the elongated member. The first set of ribs includes first, second and third ribs axially spaced from each other along an axis transverse to the longitudinal axis of the elongated member. A second set of ribs also projects from the first side of the elongated member at a location axially spaced from the first set of ribs so as to define an object receiving cradle therebetween. Hence, claim 6 requires the first set of ribs and the second set of ribs to define an object receiving cradle therebetween. This, in turn, defines the orientation of the ribs of the support structure. The second set of ribs includes first, second and third ribs axially spaced from each other along a second axis transverse to the longitudinal axis of the elongated member.

Claim 6 further requires a first rib that projects from the second side of the elongated member. The first rib corresponds to a depression in the first side of the elongated member between the first and second ribs of the first set of ribs. A second rib projects from the second side of the elongated member at a location axially spaced from

the first rib projecting from the second side of the elongated member so as to define a second side object receiving cradle therebetween. The second rib projecting from the second elongated member corresponds to a second depression in the first side of the elongated member between the first and second ribs of the second set of ribs. Hence, claim 6 requires the first and second ribs of the first set of ribs projecting from the first side of the elongated member and the first rib projecting from the second side of the elongated member to be aligned along the first axis. Similarly, claim 6 requires the first and second ribs of the second set of ribs and the second rib projecting from the second side of the elongated member to be aligned along the second axis. The object receiving cradle on the first side of the elongated member includes a midpoint generally equidistant between the first and second set of ribs. Likewise, the object receiving cradle on the second side of the elongated member includes a midpoint generally equidistant between the first and second ribs. The midpoint of the object receiving cradle on the first side of the elongated member and the midpoint of the second side object receiving cradle are axially aligned and are separated by a distance generally equal to the thickness of the elongated member. As described, neither of the cited references shows or suggests such a structure.

It can be appreciated that the midpoint of the cradles is the point of curvilinear arc that divides the cradle into two parts of the same length. It is inherent that any curvilinear arc will have a midpoint. Hence, the limitation is provided in the Specification. Further, the Specification (and claim 6) provides that the first and second ribs of the first set of ribs projecting from the first side of the elongated member and the first rib projecting from the second side of the elongated member to be aligned along the first axis and the first and second ribs of the second set of ribs and the second rib projecting from the second side of the elongated member to be aligned along the second axis. As a result, the midpoint between the first and second axes on the first side of the elongated member must be axially aligned with the midpoint between the first and second axes on the second side of the elongated member. Consequently, the limitation is inherent in the Specification and complies with the requirements of 35 U.S.C. § 112.

The Emery '879 patent is directed to a molded pulp valve tray and package. The Examiner suggests that the valve tray includes first and second sets of ribs projecting from the first side of the elongated member, as well as, first and second ribs projecting from the second side of the elongated member. The first and second ribs define a first object receiving cradle 48 in the upper surface of the valve tray and the first and second ribs projecting from the second side of the valve tray define a second object receiving cradle 52 in the lower surface of the valve tray. It is noted, however, that unlike independent claim 6 which requires the midpoint of the first object receiving cradle and the midpoint of the second object receiving cradle to be separated by distance generally equal to the thickness of the elongated member, the only portions of the object receiving cradles in the molded pulp valve tray disclosed in the '879 patent that are separated by a distance substantially equal to the thickness of the elongated member are offset from the midpoints of the cradles. This is due to the fact that the structure disclosed in the '879 patent is intended to accommodate cylindrical objects having laterally projecting flanges at one or more of the ends thereof.

Since the elongated objects supported by the valve tray of the '879 patent are vertically offset, it can be appreciated that fewer objects may be supported by the valve tray in a given area. This is a significant disadvantage over the structure defined in independent claim 6 wherein the objects are separated merely by the thickness of the elongated member. Further, it must be noted that the structure disclosed in the Emery '879 patent may not be modified to provide the support structure defined in independent claim 6. If the midpoints of the object receiving cradles disclosed in the '879 patent were axially aligned and separated by the thickness of the valve tray, as required by independent claim 6, the valve tray disclosed in the '879 patent could not support elongated cylindrical objects having laterally projecting flanges at one end thereof, a primary purpose of the invention disclosed in the '879 patent. See, Emery, U.S. Patent No. 2,783,879, Column 1, lines 41-44.

The Williams '189 patent discloses a packaging material for fragile articles. The packaging material for the sheet having a plurality of recesses formed on one side thereof. The sheet may be folded to define a generally rectangular cavity for housing a plurality of clay pigeons. It is noted that nothing in the Williams '189 patent shows or suggests providing a support structure having object receiving cradles on both sides thereof. The Examiner has suggested in prior Office Actions that the depressions 115 in the center portions of the cradles on the first side of the packaging material could define ribs projecting from the second side thereof. However, the depressions 115 disclosed in the Williams '189 patent are not orientated between the first and second ribs of the first set of ribs nor are any of the depressions orientated between the first and second ribs of the second set of ribs. It is also noted that even if the depressions and projections shown in the Williams '189 patent could define an object receiving cradle as suggested by the Examiner, such object receiving cradles of the elongated member do not have midpoints that are axially aligned and separated by the thickness of the of the elongated member. Consequently, it is believed that independent claim 6 clearly defines over the Williams '189 patent.

In view of the foregoing, it is believed that independent claim 6 defines over the cited references and is in proper form for allowance.

Claims 7 and 9-11 depend either directly or indirectly from independent claim 6 and further define a support structure not shown or suggested in the prior art. It is believed that claims 7 and 9-11 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Claim 14 defines a support structure for supporting an object. The support structure includes an elongated member extending along a longitudinal axis and having first and second sides, first and second edges, first and second ends and a thickness. The first side of the elongated member includes a first plurality of ribs projecting therefrom and being spaced between the first and second ends along a first axis. A second plurality

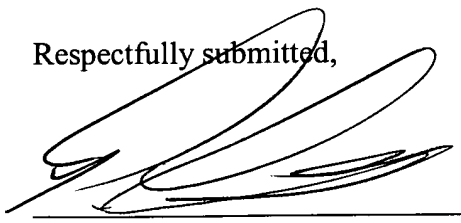
of ribs projects from the first side and are spaced between the first and second ends along a second axis. A third plurality of ribs project from the first side of the elongated member and are spaced between the first and second ends along a third axis. A first plurality of depressions is formed the first side of the elongated member and are spaced between and the first and second ends along a first depression axis disposed between the first axis and the second axis. A second plurality of depressions is formed in the first side of the elongated member and are spaced between the first and second ends along a second depression axis disposed between the second axis and the third axis. The plurality of ribs projecting on the first side of the elongated member includes a first rib and a second rib. The first rib and the second rib of the first plurality of ribs projecting from the first side of the elongated member partially define a first object receiving cradle therebetween. Each of the first plurality of ribs is aligned with a corresponding rib of the second plurality of ribs and with a corresponding rib of a third plurality of ribs along a corresponding axis transverse to the longitudinal axis of the elongated member. Each of the first plurality of depressions is disposed between one of the first plurality of ribs and one of the second plurality of ribs and each of the second plurality of depressions is disposed between one of the second plurality of ribs and one of the third plurality of ribs. Further, each of the first plurality of depressions forms a corresponding rib projecting from the second side of the elongated member. The ribs projecting from the second side of the elongated member are spaced between the first and second ends along the first depression axis. The ribs projecting from the second side of the elongated member include a first rib and a second rib. The first rib and the second rib define a second side object receiving cradle therebetween. Similar to claim 6, the object receiving cradle on the first side of the elongated member includes a midpoint generally equidistant between the first and second set of ribs. Likewise, the object receiving cradle on the second side of the elongated member includes a midpoint generally equidistant between the first and second ribs. The midpoint of the object receiving cradle on the first side of the elongated member and the midpoint of the second side object receiving cradle are axially aligned and are separated by a distance generally equal to the thickness of the elongated member. As described, neither of the cited references shows or suggests such a structure.

As heretofore described with respect to independent claim 6, nothing in the Emery '879 patent shows or suggests a support structure that incorporates first and second object receiving cradles having midpoints that are axially aligned and that are separated by the thickness of the elongated member. Hence, it is believed that independent claim 14 clearly defines over the Emery '879 patent.

Further, as heretofore described with respect to independent claim 6, nothing in the Williams '189 patent shows or suggests the orientation and location of the ribs on the first and second sides of the elongated member or the object receiving cradles on the opposite sides of the elongated member. Further, nothing in the Williams '189 patent shows or suggests an elongated member that incorporates first and second object receiving cradles having midpoints that are axially aligned and that are separated by the thickness of the elongated member. As such, it is believed that independent claim 14 defines over the cited reference and is in proper form for allowance.

Applicant believes that the present application with claims 6-7, 9-11, and 14 is in proper form for allowance and such action is earnestly solicited. Applicant believes that no fees are due at this time. However, the Director is hereby authorized to charge any fees, or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



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